CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND SIXTY-FOURTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 14 April 1970, at 10.30 a.m.

Chairman: Mr. M.A. HUSAIN (India)

(Previous verbatim records in this series appeared under the symbols ENDC/PV.1-ENDC/PV.430).

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1. The CHAIRMAN (India): I declare open the 464th plenary meeting of the Conference of the Committee on Disarmament. As Chairman of the day it is my very pleasant duty to welcome among us this morning His Excellency the Deputy Foreign Minister of Poland, Mr. Winiewicz. We are indeed happy to see him here and in fact have been for some time awaiting his joining us. I now call upon Mr. Winiewicz to take the floor.

2. Mr. WINIEWICZ (Poland): First I want to express my cordial thanks for the words of welcome which you, Mr. Chairman, have addressed to me, words which I probably do not deserve although on the instructions of my Government I have to follow the work of this Committee. It seems that in my capacity as Deputy Foreign Minister I have been too lazy to come sufficiently often to this Conference. May I be excused on the simple understanding that the work of the Committee is neither new nor strange to me and that I follow its work with the greatest attention and greet any progress with the greatest appreciation.

3. If you will permit me, Mr. Chairman, before I start my speech on the working paper which has been distributed in the name of my delegation, among others, I should like to address a few words to the United States delegation to convey our best wishes that the difficulties which the crew of Apollo 13 is meeting may be overcome and that the mission may be if not a complete success at least a partial one. Best wishes go to those now struggling in the cosmos for the success of the mission they have undertaken.

4. The main purpose of my statement is the introduction of the working paper (CCD/285) presented by the delegations of Hungary, Mongolia and Poland, and already distributed to you, concerning the safeguard clause of the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons. I would recall th t this draft convention was submitted to the General Assembly of the United Nations by nine socialist countries in document A/7655. Before commenting on the details of our working paper I cannot resist dwelling for a moment on some general problems directly and indirectly connected with chemical and bacteriological warfare.

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5. The main problem which has occupied this Committee's attention so far has been whether to proceed with the consideration of chemical and bacteriological weapons jointly or to deal with the bacteriological category of weapons separately. My Government is firmly persuaded that the problem before us is neither procedural nor technical: it remains a problem of a political and a fundamental character.

6. Until 1964 no scientific organization or political agency had advocated any separate consideration of chemical or bacteriological (biological) means of warfare. One cannot fail to notice that a discussion restricted to biological warfare started only when substantiated accusations of the use of chemical weapons in the Viet Nam conflict were made public. Such use of a variety of chemical agents has led to a number of political actions condemning, in severe terms, that type of warfare. In that connexion, articles published by the London Observer on 26 May, 2 June and 16 June 1968 disclosed facts concerning research on chemical and biological weapons which was being conducted at Porton Down in the United Kingdom. A further series of articles evoked the indignant reaction of public opinion in the United Kingdom against the use of gas in Viet Nam, particularly when it became obvious that such g was being produced in the United States under a United Kingdom licence.

7. That new situation gave rise to an urgent and one might even say universal demand to strengthen the Geneva Protocol of 1925 (A/7575/Rev.1, annex VI) and to search for ways and means of preventing activities of the type undertaken in Viet N In addition to the existing rules of war as contained in the Geneva Protocol, proposals falling within the scope of disarmament have been advanced by large group of scientists and by political organizations in different regions of the world, the United States and the United Kingdom not excluded.

8. Motivated by the same spirit, the Hungarian delegation submitted to the twenty first session of the United Nations General Assembly a draft resolution whereby the Assembly, guided by the principles of the United Nations Charter and of contemporar international law, considering that weapons of mass destruction constituted a dange to all mankind and recalling that the Geneva Protocol of 17 June 1925 on the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare had been signed and adopted and was recognized

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by many States, (i) called for strict and absolute compliance by all States with the principles and norms established by the Protocol, which prohibits the use of chemical and bacteriological weapons; (ii) condemned all actions aimed at the use of chemical and bacteriological weapons; and (iii) declared that the use of those weapons for the purpose of destroying human beings and the means of their existence constituted an international crime (A/6529, para.5).

9. As we all know, one of the major Powers, not a party to the Geneva Protocol, brought to bear the full weight of its influence in order to restrict the interpretation of the Geneva Protocol and in order to eliminate the condemnatory clauses of the Hungarian draft resolution. That line of action was in effect the beginning of a drive which aimed objectively at weakening the almost universally recognized comprehensive interpretation of the Geneva Protocol of 1925. The Maltese proposal submitted to the twenty-second session of the General Assembly, calling for the revision and bringing up to date of the Protocol (A/7017, para.4(a) and (c)) and the United Kingdom proposal of 1968 advocating the separate consideration of biological means of warfare (ENDC/231*) are momentous stepping stones leading in what we believe to be the wrong direction. The United Kingdom representative thought that as far as chemical warfare was concerned we should remain satisfied with the Geneva Protocol, and as support for further action in this area he suggested that the Secretary-General should be requested to prepare a report on the nature and possible effects exclusively of chemical weapons and on the implications of their use (ENDC/PV.381, para.92). Thus after more than forty years of a remarkable record in the defence of the comprehensive interpretation of the Geneva Protocol the United Kingdom Government took steps which indeed endangered the value and effectiveness of the Protocol.

10. Permit me also to recall that it was the Polish delegation that then suggested that the requested study should cover both chemical and bacteriological weapons (ENDC/PV.385, para.70), and we have not failed to note with satisfaction that every member of the Committee, including the delegation of the United Kingdom, has joined in support of the Polish proposal.

11. We now have the opportunity of studying and considering the Secretary-General's report (A/7575/Rev.1) which covers, from the technical and scientific points of view, all the various aspects of chemical and bacteriological (biological) weapons -- their basic characteristics, potential toxicity, speed of action, duration of effects, and indeed all the unpredictable dangers that their use in war might bring to mankind. Everyone who has spoken on this subject in this Committee and at the United Nations

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General Assembly has evaluated the report as a good basis for fruitful discussions and for the elaboration of sound measures to eliminate effectively those weapons of mass annihilation.

12. We of Poland were especially appreciative of two main inferences of the report: viz. (a) that chemical and bacteriological (biological) weapons clearly belong to one and the same class of means of mass destruction and (b) that the universal elimination of those weapons could in no way weaken the security of any nation. These two conclusions are of particular import when viewed in the light of the argumentation advanced in favour of the United Kingdom draft convention dealing solely with biological weapons (ENDC/255/Rev.1). We note, not without satisfaction, that one of the major merits of the Secretary-General's report lies in its recognition of the significance of the Geneva Protocol. When discussing the report, Poland has expressed its unequivocal endorsement of the recommendations of the Secretary-General on further action to be taken to deal with the threat posed by the existence of chemical and bacteriological weapons.

13. We are now able to benefit also from two additional and diligently documented expert studies. I have in mind the report of the WHO group of consultants[1/] and the extremely timely and highly competent study of the Stockholm International Peace Research Institute[2/]. Of course our mandate concerning problems of chemical and bacteriological (biological) warfare has been defined in General Assembly resolution 2603 A (XXIV) (CCD/275), as to the scope and the proper interpretation of the Geneva Protocol, and in General Assembly resolution 2603 B (XXIV), in which the General Assembly requested the Committee on Disarmament to give urgent consideration to seeking and reaching agreement on prohibition and on other measures aimed at securing an effective and complete ban on those extremely dangerous means of warfare.

14. Finally, permit me to state that of all the many international documents dealing with chemical and bacteriological (biological) weapons since the entry into force of the Geneva Protocol of 1925, whether emanating from intergovernmental agencies, political sources or scientific organizations, including the League of Nations and the United Nations, only one document, the draft convention submitted by the United Kingdom to the Conference of the Committee on Disarmament on 10 July 1969 (ENDC/255) tends to divide the issue generally recognized as indivisible, and indivisible it remains.

1/ Health Aspects of Chemical and Biological Weapons, Report of a WHO Group of Consultants, Geneva, 1970.

2/ The Problem of Chemical and Biological Warfare.

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15. I venture to admit frankly that I feel guilty of having abused the indulgence of this Committee by a prolonged analysis of the two different approaches to the question of chemical and bacteriological warfare. But I have endeavoured to demonstrate which of the two approaches is likely to produce the results requested from us by resolution 2603 A and B (XXIV). Either we concentrate our efforts to ban effectively and unconditionally all chemical and bacteriological (biological) means of warfare, thus contributing to disarmament, or we indirectly, by omission, justify the miscalculated and dangerous policy of the continued use of chemical means of warfare, whatever benevolent explanation the users of such weapons might give.

16. As always, my delegation has listened attentively to the views expressed here on this very question.

17. The representative of the United States, in his statement on 17 March, with his usual eloquence, all my colleagues have told me, demonstrated convincingly that in the present circumstances biological means of warfare cannot be used as a practical method of conducting a war; they do not represent any retaliatory value since their destructive potential cannot be limited and in consequence they can affect the aggressor as well as the victim of aggression (CCD/PV.458, para.51 et seq.). My delegation finds no difficulty in agreeing with the view that because of their nature biological weapons are very unlikely to be used.

18. On the other hand, not only are we now facing the danger of chemical warfare but, as we all know, chemical methods are already being applied in an armed conflict taking place today. Therefore the obvious and logical conclusion is immediately to start negotiations which would lead to the elimination of chemical means of warfare in the first place, at the same time solving the problem of eliminating all biological means of warfare, a task which, it seems to be agreed, appears easier to achieve.

19. Some delegations have endeavoured to persuade us that chemical weapons are of a tactical character and therefore their use is limited to battlefield operations. Meanwhile Mr. Leonard in his statement of 17 March provided us with convincing evidence of the damage which might possibly be caused by an aircraft carrying an atomic, a biological or a chemical charge (ibid., para.50). This example constitutes a clear reminder that chemical means of warfare are used by the belligerent which has acquired air supremacy. Indeed, such was the case in Ethiopia and China in the thirties, and we are observing the same in Viet Nam

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today. The most repulsive element is that this is still going on, after the military have ascertained that there is not the slightest chance for the opposite side to retaliate. No less repugnant is the fact that chemical weapons have been used against peoples fighting for their national liberation, who do not usually possess the simplest means of defence and are deprived of the material capability usually, as we well know, at the disposal of the regular armies of highly developed countries. What importance could possibly be attached to whether we qualify this weapon as strategic or tactical? It remains an instrument of mass extermination. One can state without any doubt that there is no politically admissible or militarily justifiable reason which could support the preservation of bacteriological (biological) and chemical weapons in national armouries.

20. Several delegations, and mainly Lord Chalfont in his statement of 7 April, (CCD/PV.462, para.15 et seq.) spoke at length on all the differences which exist between chemical and biological weapons. It would not, of course, be too difficult to prove, as has already been done by the delegations of the Soviet Union, Czechoslovaki and Bulgaria, that those differences are emphasized simply to separate the consideration of issues of chemical and biological weapons. An equal or even greater number of arguments can be presented in order to stress the absolute sameness of those categories of weapons. One can at the same time demonstrate with equal success that there are differences in the production, methods of use and destructive effects of each and every kind of bacteriological weapon. Does this mean that a separate convention for each type of such weapons would be advisable?

21. It remains therefore to decide that the question of separate or joint consideration of chemical and biological weapons is dictated not by technical or procedural factors but by the specific political and military considerations of individual States. Mankind could not profit from such an approach, disarmament processes might be slowed down and the community of nations would suffer in the end.

22. My delegation wishes to express its appreciation to the leader of the United Kingdom delegation, Lord Chalfont, for having reiterated in his statement of 7 April 1970, which I have already mentioned, that the United Kingdom delegation remains "ready to fall in with the wish of the majority to discuss the prospects for progress on biological and chemical weapons together" (CCD/PV.462, para.6). Regrettably, the speaker weakened that statement by concluding that "it is better to have an agreement on biological weapons than no agreement at all" (ibid., para.31).

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The last phrase might indicate a lack of confidence in the possibilities of reaching a rapid understanding on a difficult matter. But our Committee has not been created to solve only easy problems; it has to tackle difficult and crucial disarmament problems, and particularly those ripe for solution. I submit that it is precisely the question of the elimination of bacteriological (biological) and chemical weapons that is ripe for conclusive decision.

23. We of Poland would not dare to assume that the statement of the United Kingdom delegate had the characteristics of an ultimatum because then the Committee's work might find itself at an impasse as a result of the uncompromising attitude of a small group of States. Let us exclude such a possibility and avoid a situation in which the self-righteousness of a minority might destroy a wise policy fully grasped by the majority. After hearing the statements of practically all the members of this Committee it has become obvious that the overwhelming majority definitely favour joint treatment of chemical and bacteriological means of warfare.

24. I shall now proceed to make a few comments on our working paper (CCD/285), which has just been distributed, and I will do this in connexion with certain articles of the draft convention contained in document A/7655.

25. The system of complaints embodied in our proposal now before you has been inspired to a large extent by the provisions on verification formulated in the United Kingdom draft convention dealing with biological warfare alone. By referring all problems having a direct impact on the security of nations to the Security Council we are making proper use of the only organ of the United Nations which has the power to enforce necessary decisions and is authorized to undertake such forms of investigation as are necessary and derive from the character of the complaint.

26. In the second paragraph of the proposed new article we state the obligation of every State party to the convention to co-operate in carrying out any investigations which might be decided upon by the Security Council. Should the Security Council decide, for example, on the need for an on-site inspection, then of course that inspection should be carried out. A very interesting suggestion, in my view, for securing speedy action in such a circumstance was put forward here by the representative of Japan in his statement of 10 March. He proposed that a roster of experts on biological and chemical warfare be prepared by the Secretary-General of the United Nations to be used for on-site inspection should the need arise (CCD/PV.456, para.82). The Polish delegation will not fail to give this proposal more thorough analysis.

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27. When we speak of a system of verification and control our primary concern must be to ensure that this remains within the scope of obligations assumed under the treaty. In proposing the said addition to the draft convention we are fully aware of the fact that any system of complaint and verification must be credible and must inspire confidence in order to avert suspicion on the part of any one of the signatories. On the other hand, we must always bear in mind that when seeking the most perfect methods of compliance with any measure of disarmament political realism should remain our guide if we really desire to make progress. Indeed, we fully share the view expressed by the representative of Sweden, Mrs. Myrdal, in her statement on 9 April 1970 that "the main objective of any verification procedure is that it should generate mutual trust," (CCD/PV.463, para.7). We agree with this and accept it to be the very essence of co-operation. Based on good will it may prove to be the most efficient if not the only way to solve differences that might arise in the future between parties to the convention.

28. We also accept the view of the representative of Sweden that a complaints procedure does not ensure full, positive observance of the provisions of the convention by all the parties concerned (ibid., para.3 et seq.). But we should like to draw the Committee's attention to the fact that in the last two preambular paragraphs of the draft resolution of the Security Council proposed in our working paper we twice stress the necessity to undertake proper steps to ensure strict compliance with the obligations stemming from the convention. That means that the Security Council, in accordance with its statutory function deriving from the United Nations Charter, would be in a position to take all appropriate steps resulting from the process of the investigation so that any would-be violator would have no chance of escaping sanctions.

29. We well know that there are delegations which hesitate to rely solely on the Security Council on questions relating to the application of safeguard measures because of the veto power of its permanent members -- or should I say rather because of the provisions for consensus among the major Powers. We would not argue that one could not conceive theoretically a more sophisticated and effective system of security than that provided for in the Charter of the United Nations. But, let us face it, no better system of security has been worked out so far and we doubt whether

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the foreseeable future will bring changes in this respect. We are persuaded that the present system is valid and fully adequate for the purpose of a convention on chemical and bacteriological (biological) warfare. On the other hand, we have to concede that in the past many painful problems of international relations remained unsolved and some still await solution, not because of any shortcomings of the Charter but simply as a result of insidious disregard by some Powers of its provisions and of the decisions of the Security Council.

30. The consideration of our working paper should be in no way separated from that of other provisions of the draft convention and in particular of its articles 5 and 6. Article 5 is an important instrument safeguarding compliance with the provisions of the convention. It provides for the early adoption and enforcement by States -- of course in accordance with their constitutional procedures -- of the necessary legislative and administrative measures pertaining to the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and to their destruction. One should not underestimate the importance of the subject matter and the enforcement power of its provisions. As in other well-known international instruments of that same type, the draft convention envisages the need to supplement international obligations of States by corresponding national and administrative measures.

31. A pertinent interpretation of administrative measures that may be undertaken in the fulfilment of the provisions of article 5 of the draft was spelled out by the representative of Yugoslavia, Mr. Vratuša, in his statement on 10 March when he suggested that all States should place their institutions engaged in chemical and bacteriological (biological) warfare research, development and production under civilian administration (CCD/PV.456, para.35). We are happy to know that this interpretation of article 5 has met with support from many speakers here.

32. Another possible important administrative measure connected with the implementation of article 5 of the draft convention might be the inclusion in the textbooks of schools and universities dealing with chemistry and biology of a precise indication that the use of any chemical formula or any biological agent for any warlike purposes constitutes a violation of international law and will be prosecuted in accordance with the appropriate national legislation. Every individual must become aware of the danger represented by chemical and bacteriological (biological)

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weapons and must be prepared for some form of participation in the enforcement of the convention prohibiting the development and production of those inhuman means of warfare.

33. I cannot of course abuse the patience of this Committee by multiplying examples of possible measures in this field. We are ready to co-operate in spelling out other possible practical measures to this end. In these considerations we are guided by our deep conviction of the necessity of mobilizing the masses of the peoples of the world against all the dangers of modern warfare in order that they may not be taken by surprise from ignorance of the lethal armoury sometimes built up by their own governments. As Mr. Gomulka said in his speech at the United Nations General Assembly in 1960:

> "It is of the utmost importance that mankind be fully aware of the dangers inherent in modern warfare. We have no right to conceal from the nations the truth about the real effects of nuclear arms and of weapons of mass destruction. On the contrary, we are in duty bound to spread this truth in order to make it easier for all nations to join their efforts in the struggle against the threat of war for general and complete disarmament."[1/]

Those remarks uttered in 1960 guided our delegation when it proposed a substantive report by the Secretary-General on the effects of atomic weapons and, more recently, of bacteriological and chemical weapons, and we have always advocated extremely wide distribution of this kind of information.

34. The undoubted value of the safeguard provisions contained in article 5 of the draft convention rests on the consciousness and awareness of millions of people, particularly those workers, farmers and technicians who are proud of their participation in the building of a better world, not in its utter destruction. Together with the scientists engaged in research and given the proper instrument of internal law their attitude can constitute a valuable guarantee that the convention now proposed by the socialist States will not be violated, and we hope that in this respect we are neither romantic nor unrealistic; we are feeling the importance of the pressure and attitude of public opinion.

1/ Official Records of the General Assembly, fifteenth session (part I), plenary meetings, 874th meeting, para.91.

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35. The problem has been raised of how national enforcement could be carried out in different economic and social systems. This does not seem to be a great problem. When the interests of entire populations are at stake, when we are dealing with crucial problems of peace and human survival or utter destruction, the feelings and actions of individuals are very much the same irrespective of the political system under which they live. As far as we are concerned, I stress again that we firmly believe in their final judgement. And may I be permitted to say that we cling firmly to the principle enunciated by Lenin that "disarmament is the ideal of socialism". I say that because we are now approaching the one-hundredth anniversary of Lenin's birth and it is all the more appropriate to reaffirm that for us, a socialist country, his heritage means not only disarmament but also the lessening of international tension, peaceful coexistence and peaceful co-operation, however greatly the ideas of Lenin and Marx may be twisted by their opponents.

36. What we are proposing is indeed a combination of international and domestic legal procedures which would make it extremely difficult to bypass the provisions of the convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons.

37. In keeping with its position of principle, the Polish Government has always made proposals which would lead, we sincerely believe, to general and complete disarmament. That is the objective. Poland has lent its full support to measures to promote the achievement of this aim, and we are not easily discouraged in the pursuit of our aims. Although in the past there have been situations in which we could not feel encouraged by the reactions of the Western Powers to some of our proposals -- the proposal for a nuclear-free zone in Central Europe in 1957,[1/] the proposal for freezing atomic weapons in Europe in 1963 (see ENDC/PV.189, p.6), and the proposal for the convocation of a European conference on security and co-operation in 1964[2/] -- we have never felt discouraged. This is particularly true in connexion with the last proposal concerning a European conference on security and co-operation. We are working hard to see that this is convened and to make it a success because we are still ready to explore, together with our socialist friends, every possibility of strengthening peace and

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1/ Ibid., twelfth session, plenary meetings, 697th meeting, paras. 136-137.

2/ Ibid., nineteenth session, plenary meetings, 1301st meeting, para.66.

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security. In this spirit of complete devotion to the tasks confronting us in this Committee we of Poland firmly believe that the proposal I have had the privilege to introduce to this Committee will be met with good will and an attitude of co-operation — well-known features of the Conference of the Committee on Disarmament.

38. Mr. DUGERSUREN (Mongolia): First of all may I join you, Mr. Chairman, in welcoming wholeheartedly Comrade Winiewicz, the Deputy Foreign Minister of the Polish People's Republic, who notwithstanding the tight schedule of his work at home and elsewhere has come especially to address this Conference today. You, Comrade Minister, have so opportunely added the weight of your wisdom and your rich experience to our efforts to tackle the crucial problem on which you have just spoken with the great authority and clear vision always so characteristic of you.

39. My delegation is happy to be able to co-sponsor the important working paper on safeguards measures regarding the draft convention prohibiting the development, production and stockpiling of chemical and biological weapons (CCD/285) which Minister Winiewicz has just presented. The Mongolian delegation feels greatly honoured to be associated with the delegations of the Hungarian People's Republic and the Polish People's Republic, whose timely and valuable initiatives have been extremely instrumental in making the world community aware of the growing danger of chemical and bacteriological warfare and in getting the United Nations and this body so deeply involved in the urgent question of the elimination of those weapons of mass destruction. In fact, thanks to those praiseworthy initiatives of the two Governments, the problem of chemical and bacteriological weapons has recently been studied in greater depth at this Conference, at the United Nations General Assembly and elsewhere. The extensive discussions have provided an excellent opportunity of clarifying the views of different delegations on this matter and have thus facilitated greatly the framing of an instrument designed to bring about the complete elimination of chemical and bacteriological (biological) weapons.

40. Having made those introductory and yet very pertinent remarks, I should like to dwell at some length on the question of banning the development, production and stockpiling of chemical and bacteriological (biological) weapons as it stands today. I would start by expressing a sense of gratification at the fact that the question of elaborating a draft convention on this burning issue has been given high priority

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at the present session of this Conference, in accordance with General Assembly resolution 2603 B (XXIV) (CCD/275). We regard that as another attempt by this Committee to respond positively to the universal demand to put an end to the most barbarous means of warfare man has ever possessed.

41. By becoming one of the co-sponsors of the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655) the Mongolian People's Republic has, unequivocally expressed itself in favour of the immediate and complete outlawing of those horrible weapons. Precisely for that reason my delegation, like the majority of the members of the Committee, has expressed strong reservations with regard to the manner in which the United Kingdom draft convention (ENDC/255/Rev.1) has proposed that the question of the prohibition of chemical and bacteriological weapons should be tackled. It is the view of my delegation that the treatment proposed by the United Kingdom delegation in the first place would weaken the Geneva Protocol of 1925 (A/7575/Rev.1, annex VI) by unnecessary repetition regarding the question of the use of those weapons and, secondly, by separating the biological weapons from the chemical, might in fact give the green light to the horizontal as well as vertical proliferation of chemical weapons.

42. Recently the delegations of some Western countries which support the United Kingdom draft have advanced a number of untenable arguments which in their opinion justify the separate approach taken by those delegations. The inconsistency of those arguments and the dangerous consequences which such an approach might entail have been thoroughly exposed in the speeches of Mr. Roshchin (CCD/PV.461, para.7 et seq.) and Mr. Christov (CCD/PV.462, para.33 et seq.). I have really very little to add. I would only point out that the statements of the United States and United Kingdom delegations give the impression that in advocating separate treatment they proceed primarily from the premise that biological weapons are of doubtful combat value whereas chemical weapons are battlefield weapons which can be used with significant advantage in military operations. That position, the United States representative says, is based on sound military considerations; thus there is an obvious evolution in the arguments, which have acquired a rather surprising and at times quite perplexing military savour.

43. It is said that the more one argues the more he reveals his intentions. Apart from other considerations, the way of thinking which I have just mentioned sows the seeds of suspicion and mistrust. That is natural if one bears in mind the revolting

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fact that chemical warfare was responsible for taking the lives of many thousands during the First World War. Even today chemical agents -- those agents which some even call "humane" weapons -- are being used in our part of the world to kill men, women and children, in gross violation of international law and in disregard of world-wide condemnation. In short, my delegation thinks that it is not the different properties of chemical and bacteriological weapons or the complexities of the verification problems but rather the reluctance of certain Powers to forego some types of chemical weapons that creates the barrier on the way to the prohibition and elimination of those weapons.

44. The draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons submitted by the nine socialist countries proposes the immediate and comprehensive prohibition of those weapons. It meets the wish of the majority of Members of the United Nations. In preparing the draft the authors have taken into consideration many valuable suggestions put forward at last year's session of the Committee on Disarmament. The draft convention is based on the rules of customary international law and on the wisdom of the method, historically vindicated, of treating chemical and bacteriological weapons together, which is sound from political, military and practical points of view. This draft, as Ambassador Sule Kolo of Nigeria put it the other day, "offers a suitable basis for negotiations" (CCD/PV.462, para.87).

45. While we are grateful that the draft convention has received wide support both here and in the United Nations General Assembly, we are aware of the desire of many representatives to see it strengthened further by safeguard clauses. We believe that the draft article on the complaints procedure introduced today on behalf of three socialist countries, including my own, constitutes an important step towards meeting that desire. I have very little to say on this matter after what has been said by Comrade Winiewicz in his lucid speech on the motive and purpose of introducing the new article. I wish only to note that the article in its entirety provides an adequate framework of international safeguard measures involving the United Nations. My delegation, as a co-sponsor, is willing to give very careful consideration to any useful opinions and constructive suggestions designed to elaborate further and improve the article within the given context.

(Mr. Dugersuren, Mongolia)

46. My delegation is fully aware of the fact that the problem of verification in the case of the prohibition of chemical and bacteriological warfare is a complicated one. This complexity is probably connected primarily with the fact that many intermediary substances are used for the manufacture of chemical and bacteriological weapons, and in some cases even the agents themselves, are widely used in peacetime. Thus the problem of the prohibition of chemical and bacteriological weapons is closely connected with the technical, industrial and commercial aspects of peaceful development and with the problems of the health and well-being of man. Furthermore, generally speaking, chemical and bacteriological agents are essentially poisons, and the effects of their use depend entirely on the intention of the user. Chemical and bacteriological agents used for curing man and raising his material and cultural standards can be converted into a weapon of mass and indiscriminate destruction in a matter of several days or even hours.

47. In the case of chemical and bacteriological weapons, verification has an intrinsic imperfection in the sense that on-site inspection is almost impossible in practice and is politically inexpedient. Notwithstanding this, my delegation, like others in this Committee, is of the opinion that the problem of verification is soluble, if not 100 per cent, yet with a great degree of reliability.

48. Taking into account the difficulties involved, the authors of the draft convention have laid special emphasis on the safeguard measures dependent on the good will of States. Bona fides is primarily the expression of the willingness and the capacity of the State concerned to live up to the responsibilities it has assumed under an international treaty. In this connexion special mention should be made of articles 4 and 5 of the draft convention of the socialist countries, which contain a number of important elements of control at the national level. Referring to article 5 of the draft, Mr. Roshchin very pertinently stated

> "The application of this article of the convention will be one of the ways of guaranteeing the implementation of this agreement and of achieving the aim of the complete prohibition and elimination of chemical and bacteriological agents of warfare." (CCD/PV.454, para.64)

49. We submit that the obligations under this article will inevitably call for the adoption of a number of safeguard and verification measures at the national level. These measures may include the establishment of a special government — and I stress government — agency for the purpose of ensuring compliance with the convention.

(Mr. Dugersuren, Mongolia)

A similar suggestion has been made by the representative of Yugoslavia, Mr. Vratuša (CCD/PV.456, para 35). I think we should go a little further. This question of establishing a national agency can be solved in the spirit of articles 17 and 35 of the Single Convention on Narcotic Drugs, 1961[1/], the first of which says that the parties shall maintain a special administration for the purpose of applying the provisions of the Convention, while the latter declares that this should be done with due regard to the constitutional, legal and administrative systems of the parties 50. That agency might be composed of the representatives of important bodies involved in research on and use of chemical and bacteriological agents and substances. To our mind the first to be included should be the representatives of important research institutes in the field in question, national medical and veterinary services, departments responsible for chemical industries, and so on. My delegation believes that the embryo of such an agency might already exist in one form or another in a number of countries.

51. Further measures might include the introduction of: (a) a national system of compulsory registration of the requirements and quantity of production of chemical and bacteriological agents which could be converted into weapons; (b) strict control of the import and export of such agents; (c) strict control of the manufacture, import and export of equipment and apparatus that could be used for the development, production and stockpiling of chemical and bacteriological weapons, etc.

52. My delegation submits that, bearing in mind the similarity of the subject-matter and of the problem of ensuring compliance, we could turn to articles 34 and 35 and other similar articles of the above-mentioned Single Convention to see whether we could borrow some useful ideas or get some hints from them for our purposes. At the same time, however, we would give a warning against making the verification question too complicated by introducing detailed provisions of no practical value. My delegation would like to emphasize once again that the effectiveness of any national control depends solely on the will of the parties concerned faithfully to honour the obligations they assume.

1/ United Nations Treaty Series, Vol. 520, pp. 204 et seq.

(Mr. Dugersuren, Mongolia)

53. Referring to international safeguard measures, my delegation wonders whether the present provisions of the draft could be further elaborated by the inclusion of a provision concerning a review conference. In view of the well-known specific features of chemical and bacteriological agents the review conference could be held on a regular basis within a certain period of time -- within each period of five years after the entry into force of the prospective convention, say. The clause might envisage that participants in the review conference, if they found it imperative owing to new developments of science and technology in the field concerned, could recommend to the States parties appropriate measures which the parties could apply individually in order to further secure the implementation of the convention.

54. I have expressed by means of thinking out loud some ideas concerning possible ways of strengthening further the safeguard and verification clauses of the draft convention. We would sincerely welcome any comments or remarks on them. We intend to continue our examination of these ideas to see if they can be developed into something more substantial and workable. For our part, we shall study very carefully the interesting suggestions made by the Swedish, Japanese, Yugoslav and other delegations concerning this verification problem.

55. I deem it necessary before concluding my statement to restate the firm position taken by my Government in regard to the 1925 Geneva Protocol. We consider it to be the most important instrument embodying the rules of international law prohibiting the use in war of all chemical and bacteriological methods of warfare without any exception. We are opposed to any arbitrary interpretation of the Protocol in an attempt to exempt certain types of so-called incapacitating agents from the prohibitions of the Protocol. It was precisely for these reasons that my country fully supported General Assembly resolution 2603 A(XXIV) reaffirming that the Geneva Protocol embodies prohibition of the use of all chemical and bacteriological (biological) weapons. It was for the same reasons that the Mongolian delegation asked the twenty-fourth session of the General Assembly to make an urgent appeal for universal adherence to that important international instrument.

56. Finally, may I take this opportunity to join comrade Winiewicz in expressing to the United States delegation our sympathy and our regret that technical trouble has curtailed the Apollo 13 mission. We wish the three brave astronauts the best of luck and a safe return to mother earth.

57. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translation from Russian): Permit me first of all to welcome the Dep ty Foreign Minister of the People's Republic of Poland, Comrade J. Winiewicz, who has come to take part in the work of the Committee on Disarmament. His statement in the Committee and the introduction of a proposal on safeguards for inclusion in the draft convention of the socialist countries on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons, and on the destruction of such weapons (A/7655) are evidence of the great interest and the ceaseless efforts of the socialist countries aimed at ensuring progress in the cause of disarmament and, in particular, in achieving the complete prohibition of the use of chemical and bacteriological means of warfare.

58. The Soviet delegation was most interested to listen to Comrade Winiewicz's statement in which, on behalf of Poland, Hungary and Mongolia, he introduced a working paper (CCD/285) containing an important addition to the draft convention of the nine socialist countries. The delegation of the Soviet Union would like first of all to express its gratitude to the authors of the working document submitted to the Committee for the work they accomplished in preparing the aforesaid proposal.

59. The Soviet side regards the introduction of the text of a new article on the question of safeguards into the draft convention on the complete prohibition of chemical and bacteriological weapons, and of the draft resolution of the Security Council on that subject as an important, very useful and timely initiative aimed at facilitating a rapid and positive solution of an urgent problem of disarmament -- the complete prohibition of chemical and bacteriological agents of warfare. The Soviet delegation declares its full agreement with the characteristic features of this proposal and with the appraisals of its significance which were made this morning by the Deputy Foreign Minister of the Polish People's Republic, Mr. Winiewicz, and the head of the delegation of the Mongolian People's Republic, Mr. Dugersuren. Further to what has already been said, permit me to draw attention to certain points in connexion with this proposal which in our view are important.

60. During the discussions at the twenty-fourth session of the General Assembly and at the current session of the Committee on Disarmament on the problem of prohibiting chemical and bacteriological agents of warfare the delegations of many countries spoke in support of the need for a joint prohibition of these agents and expressed their approval of the approach shown in this regard in the draft convention of the

(Mr. Roshchin, USSR)

nine socialist countries. At the same time the delegations expressed the wish that in this draft the provisions dealing with the safeguarding of compliance with the convention by the parties thereto should be strengthened. Such proposals were put forward, particularly in the Committee on Disarmament, by the delegations of Pakistan, Japan, Nigeria and a number of other countries. In fact, this was one of the most important considerations expressed in regard to the aforesaid draft convention. The addition to the text of the convention proposed by the three countries and the corresponding draft resolution of the Security Council represent a step towards meeting those wishes.

61. Incorporated in the text of the draft convention, the new article will organically supplement the other articles of the convention designed to safeguard the strict implementation of the convention by the signatory countries. Articles 4, 5 and 6 of the draft convention of the nine socialist countries and the new article proposed by the three countries, in conjunction with the proposed resolution of the Security Council, will ensure a reliable system of safeguards and an effective procedure for considering cases of possible violation of the provisions of the convention. Thus there will be established a realistic and workable system of safeguards, which is the only conceivable one for the normal operation of an agreement on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons, and on their destruction.

62. Indeed, the implementation of the provisions of article 5 under which each State party to the convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to put a stop to the development, production and stockpiling of chemical and bacteriological weapons and to destroy such weapons, and of article 4, under which the parties to the convention shall be internationally responsible for compliance with this agreement by all undertakings and citizens of their respective countries, will ensure the fulfilment of the convention. It should be noted that while the provisions of these articles -- particularly article 5 -- are very categorical, they are at the same time sufficiently flexible to give each government the possibility of itself determining the nature of the safeguards in accordance with the usages and constitutional rules existing in its country. Entrusting the implementation of the provisions of the convention to the national governments within their own countries will create assurances of the implementation of the ban on the development,

(Mr. Roshchin, USSR)

production and stockpiling of chemical and bacteriological weapons by any enterprises in those countries, as well as of the destruction or the switching of existing stocks of such weapons to peaceful needs. In the last analysis, as was most aptly noted by the representative of Bulgaria, Mr. Christov, on 7 April:

> "After all, it is the governments which, pursuing an armaments policy, take all decisions concerning studies, experiments, development, etc. of chemical weapons. And it is at governmental level that the agreement will be concluded, with the necessary control measures." (CCD/PV.462, para. 50)

63. Thus articles 4 and 5 of the draft convention, as well as article 6 under which States parties to the convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of the convention, are logically supplemented by the provisions of the new article proposed today. This new article, as explained in detail by the Deputy Foreign Minister of the Polish People's Republic and the representative of the Mongolian People's Republic, provides for the right of each party to the convention to lodge a complaint with the Security Council if the party concerned has reason to believe that any other party to the agreement is contravening the convention, and to request the Council to consider the complaint. Each party to the convention accordingly undertakes to co-operate in carrying out any investigations which might be undertaken by the Security Council. Thus a thoroughly worked-out procedure is established for investigating possible cases of violation of the convention by the parties thereto. The very fact of the existence of this procedure, apart from its direct purpose, will, we believe, act as a deterrent and will guarantee strict compliance by all the signatory States with the terms of the agreement. On the whole -- and we emphasize this once again -- the new article on safeguards, together with the existing articles concerning assurances of the implementation of the convention, and the resolution of the Security Council strengthening those articles will make the convention a reliable and effective international agreement.

64. Underlying the new initiative of the socialist countries is a sincere endeavour to contribute to progress in reaching agreement on a convention on the complete prohibition of chemical and bacteriological agents of warfare and our desire to show the most constructive possible approach to the solution of that problem. We trust

(Mr. Roshchin, USSR)

that this circumstance will meet with understanding on the part of the members of the Committee and that in a spirit of co-operation we shall succeed in completing our work on the preparation of an agreement on the complete prohibition of chemical and bacteriological weapons.

65. In conclusion, we should like to associate ourselves with the words which the Deputy Foreign Minister of Poland, Mr. Winiewicz, and the representative of Mongolia, Mr. Dugersuren, addressed to the delegation of the United States and to express the hope that the measures being taken for the return of the spacecraft Apollo 13 will be successfully completed and that the astronauts will return safely to earth.

66. Mr. VEJVODA (Czechoslovakia): First of all I should like to join you, Mr. Chairman, and those representatives who have welcomed in our midst the Deputy Foreign Minister of the Polish People's Republic, Mr. Winiewicz. The Czechoslovak delegation would like to congratulate him on his brilliant statement, in which he introduced the working paper (CCD/285) submitted today by Hungary, Mongolia and Poland.

67. The Czechoslovak delegation expressed some of its views on the problems of control of the prohibition of the development, production and stockpiling of chemical and bacteriological weapons in its statement on 2 April (CCD/PV.461, para. 26 et seq.) We are ready to revert to the problem at a later stage if that proves to be necessary. Today we want only to emphasize that we consider the Security Council as being the only body which could be entrusted with investigating possible violations of the treaty and adopting appropriate measures in a situation as complex as the control of the prohibition of production, development and stockpiling of chemical and bacteriological weapons would be. We should therefore like to go on record as fully subscribing to the working paper presented today by Hungary, Mongolia and Poland.

68. Mr. LEONARD (United States of America): I should like to take just a moment to say that we appreciate the words of sympathy which have been expressed by several delegations, led by the Deputy Foreign Minister of Poland, Mr. Winiewicz, this morning with regard to the difficulties which are being encountered by the current Apollo flight. I do not think we have more recent information than anyone else on this, but it is our understanding that the prospects for the safe return of the astronauts to earth are still excellent. We have always considered that these expeditions represent a common effort of mankind and we are grateful for, and will certainly convey to our Government, the good wishes which we have received here this morning.

69. The CHAIRMAN (India): I would only add to what has already been said by previous speakers, on behalf of my own delegation -- and I am sure I am expressing also the sentiments of all members of the Committee -- that we wish the brave astronauts of the Apollo 13 mission a safe return. I am glad to hear, as I am sure my colleagues are, that the prospects are said to be excellent. We wish the astronauts Godspeed and pray for their safe return.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 464th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador M.A. Husain, representative of India.

"Statements were made by the representatives of Poland, Mongolia, the Union of Soviet Socialist Republics, Czechoslovakia and the United States of America and by the Chairman.

"The delegations of Hungary, Mongolia and Poland submitted a working paper (CCD/285) in connexion with the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655).

"The next meeting of the Conference will be held on Thursday, 16 April 1970, at 10.30 a.m."

The meeting rose at 12.5 p.m.